*Hence the motion was considered withdrawn.*

**Motion No. 2.**

Mr. A. B. Salem.—*To omit the allotment of Rs. 3,000 for I—Land Revenue—Contingencies—Miscellaneous.*

**President.**—Motion No. 2. Mr. Salem is absent.

*Hence the motion was considered withdrawn.*

Question proposed: *That the additional grant be allowed by the House.*

*Question put and agreed to.*

**2. II—C—Panchayats—Refunds—Rs. 1,500.**

**President.**—Mr. Raman Menon is absent. The Secretary to the Diwan may move.

**Rama Varmha Tampuran.**—Sir, I rise to move for a supplementary grant of Rs. 1,500 under 'II—C—Panchayats—Refunds'. This amount represents the deposit made by one Valiamanakkal Nambutiripad towards a *chira* to be put up in the Vadakkancheri river. Subsequent to that the P. W. D. proposed another higher up, and the Government thought that the latter work will be more useful to the public and that, if that work is going to be taken up, the other work, towards which the Nambutiripad made a deposit money, will have to be given up. Consequently, the work for which the Nambutiripad paid the money was abandoned, and it was decided that the deposit money may be refunded to the party himself. That is the reason why this amount of Rs. 1,500 is asked for to be granted by the Council.

**President.**—There is no expenditure to be incurred on this account. The amount we raised for the *chira* has to be refunded.

**Mr. P. Krishna Menon.**—By way of information, has the Government settled which work is to be taken up?

**Rama Varmha Tampuran.**—The D. P. W. proposal is going to be taken up.

**Mr. V. K. Aravindaksha Menon.**—The work is started already. This amount is not for that work.

**Mr. P. Krishna Menon.**—The other work proposed by the P. W. D., has it really been put into execution?

**Mr. V. K. Aravindaksha Menon.**—The work is already started.

**Motion No. 1.**

Mr. P. Kumaran Ezhuthassan.—*To reduce the allotment of Rs. 1,500 for II...Panchayats—C. Refunds by Re. 1.*

**Mr. P. Kumaran Ezhuthassan.**—May I know when the amount was deposited by the Nambutiripad?

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**President.**—We talked between ourselves in the Standing Finance Committee. I think it is in 1104.

**Mr. P. Kumaran Ezhuthassan.**—My point is whether the deposit was taken before it was finally settled which work is to be taken up.

**President.**—At the time the amount was received there was a settlement. But subsequently that settlement was given up, and another settlement was arrived at. I think the other settlement was not conceived of at the time of the deposit.

**Mr. V. K. Aravindaksha Menon.**—I think it has been found out that the new work which we are taking up will be more beneficial to these lands. This was found out later on.

**Mr. P. Kumaran Ezhuthassan.**—I don't move.

*Hence the motion was considered withdrawn.*

## Motion No. 2.

Mr. A. B. Salem.—*To omit the allotment of Rs. 1,500 for II—C. Panchayats—Refunds.*

**Mr. A. B. Salem.**—With your permission, Sir, I will make it a token motion.

**President.**— You are allowed to do so.

**Mr. A. B. Salem.**—Sir, this is supposed to be a sum for the refund of an amount taken from a landlord for the purpose of putting up a particular *chira*, mainly for his purpose, it appears. But it raises a question of principle, namely, why should Government undertake any work which goes solely or mainly for the interests of a single private party. Why should Government funds be contributed for the purpose and benefit of a single individual, mainly or solely? That is a very important question. If a work is to go to the benefit of the general ryot, then certainly you can spend it. The fact that one person is keeping a large number of acreage of land that would be benefited by the scheme would not make him liable to pay anything to the Government. He also pays tax for the large area that he holds, and it would not benefit him more than it would benefit a small holder of land. Under these circumstances, this policy must be condemned as a pernicious one and must be an anachronism in our State. That work which the Government think is good to the people must be done by the Government. If the work is good for the land, it does not matter who all are benefited by the land. It is part of the Government duty to do good unto the ryots that are entrusted to their care. It is for raising that particular principle that I tabled this motion. In this particular case we do not know

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when the money was given. I have asked that for information. But I believe the money was given sometime towards the end of 1104, because at the beginning of 1104, when the budget was framed, the amount of money stood at 900 and odd, and Rs. 2,400 and odd towards the end of the year in the revised budget. That again brings another point vividly to view that this House does not get any information when such money is deposited with the Government. The revised estimate, we know, nobody sees it till the next year's budget comes here, and if any variation takes place, it has been ruled, recently, I am sure, that receipts cannot be discussed. I do not see why receipts cannot be discussed. Budget means a statement of receipts and expenditure. Why expenditure alone can be discussed and why receipts cannot be discussed surpasses my understanding of the scheme of Parliamentary Government under which we sit here to bring representative opinion here to the Government.

**President.**—The Legislative Council Law contemplates cut motions. Cut motions may be for partial reduction or total omission, and I do not think on receipts we can have any cut motions. If any one has any doubt about a particular item of receipt and want any information, Government will be only glad to give the information. That does not mean a discussion on the subject.

**Mr. A. B. Salem.**—There is nothing to discuss.

**President.**—For the matter of that, if you call for information about the variation between the original figure and the subsequent figure,....

**Mr. A. B. Salem.**—Apart from that point of eliciting information from the Government, there is this aspect of the receipt of taxation. Now, it has been expressly stated in this House that hereafter no taxation of any kind will be imposed upon the country without the sanction of this House. That has been expressly stated in this House, and if that is so, every receipt is by means of taxation or by means of sale by certain rates being fixed. This time it may be by way of sale of Government products, for example, timber. If it is land revenue, it will be by means of imposing tax.

**President.**—If it is Railway ?

**Mr. A. B. Salem.**—Railway we cannot discuss here.

**President.**—We get receipts from all these.

**Mr. A. B. Salem.**—In a really representative House all these matters are of great importance, because what is the amount of taxation that is to come in the budget or that is put under discussion and other matters are very important matters. If you are going towards Parliamentary Government, our attempt must be to be accustomed to discuss these matters. If you want to keep this

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unreal nature of things for a long time and carry on with this vicious system of representation without responsibility, then it is our intention to put an end to this system sooner or later and bring real responsibility to be shouldered by the representatives of the people to make good their criticisms. The Government have no responsibility of any kind to make good the criticisms. From that point I go to the other point. There must have been some conditions by which this gentleman gave this money. Now, we do not know at what stage of the particular scheme this gentleman came forward to give this money. If the scheme was already alright, then he would have gained. Now we see that there was no real scheme. At the end of 1104 he paid the money, by the middle of 1105 the scheme is abandoned. Why? Now, if he had not paid the money, he would have had the advantage of having that money then. He gave money to the Government, and the Government took it for the purpose of putting up a *chira*, that is, a particular scheme. He has suffered the loss of interest. The scheme is abandoned, and the man must get back his money. What were the conditions when the money was received? Even if there is no condition, this amount's interest must be made good by the Government. Money means money and interest. Such a loss is inflicted upon a ryot for no purpose. They not only accepted the money but kept it till the scheme was actually taken into hand. It shows lack of foresight. Then again, Sir, I wish to know when the demand was made to get back the money.

**Rama Varmha Tampuran.**—I do not think there has been any particular demand from the party.

**Mr. A. B. Salem.**—You make an offer?

**Rama Varmha Tampuran.**—Since that particular work of the *chira* is not going to be taken up, it is but fair that the money should be refunded to the party.

**Mr. A. B. Salem.**—You are going to pay back?

**President.**—The money is got for a particular purpose, and that particular purpose is not to be carried out, and so the man must get back the money.

**Mr. A. B. Salem.**—We are to offer him back the money. On what conditions was this money received from him? If the purpose for which he gave the money was for irrigating his land beneficially, and if the *chira* that is now contemplated is not at Attampatt or at Vadakkancheri but another, which would serve the same purpose upon his land, why should he get back his money?

**Mr. V. K. Aravindaksha Menon.**—It is serving a larger area.

**Mr. A. B. Salem.**—His land is also served. Why should he get back the money? Why was money taken from him?

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Now that the Government says that the same purpose will be served, and other lands also will be served by putting up the *chira* higher up there, why should the Government repay the money, and there is no demand from him? A certain man pays something for the purpose of a *chira*, and he gets the *chira*. The fact that others also benefit by this *chira* should not make the Government repay the money, and there is no demand from him.

**Mr. A. Eachara Menon.**—According to your principle.

**Mr. A. B. Salem.**—According to my principle no money should have been taken.

**President.**—All the ryots are benefited. Why should this man alone be penalised? We cannot make amends for the loss. Money has been received, and so we want to see that the wrong is righted, and so we will give him back the money.

**Mr. A. B. Salem.**—I am really glad. That is the principle. I think that has been well understood, that no contribution should be taken for these public works.

**Mr. T. M. Krishna Menon.**—The answer is contained in the Hon'ble Member's speech itself. The positions taken up are two. The first is that, when this *chira* is intended to serve only one individual, the Government should not incur any expenditure at all. The second is that, if it served other interests also, no contribution should be taken from the party. The position that I maintain is this. The man may have extensive lands. But to serve him alone Government will not be right in spending a lot of money. But then, as stated by the Hon'ble Member himself, if he has extensive lands, the Sirkar has the duty to help him in the matter of irrigating his lands. But the Sirkar cannot meet the entire expense out of public funds. Since however he is also a ratepayer and contributes his share of the public revenue, a proportionate amount may legitimately be undertaken to be spent by the Sirkar, and the other portion may be asked to be contributed by him. I do not see there is anything wrong in following that principle. With regard to the interest also I have to say something. If the *chira* had been put up with the money paid, the party will only get water. That advantage will be gained when the new *chira* is put up. What is the special advantage that he would enjoy had the amount been spent? Now that he gets back the amount, what is the loss that he has suffered?

**President.**—For this new *chira* no amount is spent.

**Mr. T. M. Krishna Menon.**—This amount was paid by him for putting up a particular *chira*. That *chira* is not being put up now, but another is put up in its place, which would serve his purpose equally well. He must get water, and that purpose will be served when the new *chira* is put up.

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**President.**—He will argue in this way. If the new *chira* is put up, no money has to be paid by me, and, therefore, I need not find money, and there will be no loss of interest. The Government is found fault with only for not settling this.

**Mr. T. M. Krishna Menon.**—Not to his advantage. He gets back the amount which was paid by him, and it is to his advantage. It is not an investment made by him. He contributed for a special work. But another work was done by the Government which would equally satisfy him, and it is only an advantage to him that the money contributed by him is returned. The claim of interest must be based on some legal principle.

**Mr. A. B. Salem.**—If the principal is to be returned, then the accessory must also come. If the man has got extensive land, he pays large amounts as tax. What difference does it make whether he has got 200 acres or 20 acres?

**Mr. V. K. Aravindaksha Menon.**—It does make a large difference.

**Mr. A. B. Salem.**—So far as the individual is concerned, it makes a difference, but so far as the Government is concerned, there is no difference, and the land revenue derived is the same.

**Mr. V. K. Aravindaksha Menon.**—The revenue is not the only consideration in this matter. If there are 200 ryots in 20 acres, it will not be possible to find co-operation among them so that they may get irrigation facilities for the whole acreage. If one wants one, he can make his own arrangements for irrigation.

**Mr. A. Eachara Menon.**—The revenue is fixed on the land as it is.

**Mr. A. B. Salem.**—When it is irrigated, it will be more.

**President.**—I would like to know whether you are pressing this cut motion.

**Mr. A. B. Salem.**—If he claims interest, then you will have to further come here.

**Mr. P. Krishna Menon.**—Is he prepared to take back the money?

**President.**—No request has come from him as yet. He may say that I paid the money for a specific purpose, and you are bound to do that specific purpose.

**Mr. P. Krishna Menon.**—Then the Government will be liable for a specific performance of the contract, and he can file a suit.

**Mr. A. B. Salem.**—Is there any Diwan's Proceedings on this subject?

**President.**—The particular Member is absent

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**Mr. A. B. Salem.**—I withdraw the motion with leave of the House.

*The motion was, with leave, withdrawn.*

Question proposed: *That the additional demand asked for be granted.*

*Question put and agreed to.*

### 3. XI—Registration—E—Temporary Establishment—Rs. 40.

**Rama Varmha Tampuran.**—Sir, I rise to move for a grant of Rs. 40 under 'XI—Registration—E—Temporary Establishment.' This is necessitated by the presentation of a rather voluminous document to be copied in the Nemmara Registry Office. The document covers about 237 pages of the register, that is, 711 foolscap pages. This work could not be attended to by the regular staff without delay. If this is entrusted to the regular, staff, it will, as the Hon'ble Members know, be putting the party to very great inconvenience. Therefore, the temporary appointment of a clerk for a period of 2 months on Rs. 20 has been approved. I request the House will pass the same.

### Motion No. 1.

Mr. A. B. Salem.—*To omit the allotment of Rs. 40 for XI—Rgistration—Temporary Establishment.*

**Mr. A. B. Salem.**—I don't move the motion.

*Hence the motion was considered withdrawn.*

Question proposed: *That the additional grant be passed.*

*Question put and agreed to.*

### 4. XIII.—General Administration—5—Census Operations—Rs. 2,149.

**Rama Varmha Tampuran.**—Sir, I rise to move for a supplementary grant of Rs. 2,149 under 'XIII—General Administration-5—Census Operations.' The details of this total are arrived at by calculating the T. A. of the Census Superintendent, Rs. 650 for 6 months, clerk's pay Rs. 250, typist-clerk's pay for 5 months at Rs. 25, 2 peons at Rs. 12, T. A. of the Establishment Rs. 50 and contingencies Rs. 1,200. The census operation is to come up early in 1931. but much preliminary work has to be done as on previous occasions. The appointments were made last month. Under these circumstances, I request that the supplementary grant moved for may be granted. Any further information required will be furnished.

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